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	Application No.	Applicant(s)	
Madia	10/648,366	YAMAMOTO ET AL.	
Notice of Allowability	Examiner	Art Unit	
	Kallambella Vijayakumar	1751	
The MAILING DATE of this communication appear All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this app or other appropriate communication GHTS. This application is subject to	plication. If not include will be mailed in due	ed course. <b>THIS</b>
1. This communication is responsive to <u>04/26/2006</u> .			
2. The allowed claim(s) is/are <u>1 and 3-23</u> .			
<ul> <li>3.  Acknowledgment is made of a claim for foreign priority units.</li> <li>a)  All b)  Some* c)  None of the:</li> <li>1.  Certified copies of the priority documents have</li> <li>2.  Certified copies of the priority documents have</li> <li>3.  Copies of the certified copies of the priority documents.</li> </ul>	been received. been received in Application No		tion from the
International Bureau (PCT Rule 17.2(a)).  * Certified copies not received:			
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  4. A SUBSTITUTE OATH OR DECLARATION must be submited in INFORMAL PATENT APPLICATION (PTO-152) which give some submited in the including changes required by the Notice of Draftspers to Paper No./Mail Date  (b) including changes required by the attached Examiner's Paper No./Mail Date  Identifying indicia such as the application number (see 37 CFR 1.	itted. Note the attached EXAMINER es reason(s) why the oath or declarant be submitted. on's Patent Drawing Review (PTO-1) as Amendment / Comment or in the C	'S AMENDMENT or N tion is deficient. 948) attached Office action of	OTICE OF
each sheet. Replacement sheet(s) should be labeled as such in the first of the deposit of and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT I	sit of BIOLOGICAL MATERIAL n	nust be submitted. N	version of the second s
Attachment(s)  1. ☐ Notice of References Cited (PTO-892)  2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  3. ☑ Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date  4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	5. ☐ Notice of Informal P 6. ☐ Interview Summary Paper No./Mail Dat 8), 7. ☐ Examiner's Amendn 8. ☑ Examiner's Stateme 9. ☐ Other	(PTO-413), le nent/Comment	,
		Mark Kopec Primary Examine	r

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## **DETAILED ACTION**

Applicants amendment and the arguments filed 04/26/2006 have been fully considered. The examiner has considered the IDS filed 04/26/2006.

Claims 1 and 3-8 are directed to an allowable product. Pursuant to the procedures set forth in MPEP § 821.04(B), claims 9-23, directed to the process of making or using an allowable product, previously withdrawn from consideration as a result of a restriction requirement, are hereby rejoined and fully examined for patentability under 37 CFR 1.104.

Because all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, the restriction requirement as set forth in the Office action mailed on 10/07/2005 is hereby withdrawn. In view of the withdrawal of the restriction requirement as to the rejoined inventions, applicant(s) are advised that if any claims including all the limitations of an allowable product claim or rejoined process claim are presented in a continuation or divisional application, such claims may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

## **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

Claims 1 and 3-23 are allowed as amended over the prior art of record that neither teaches nor fairly suggest a graphitized hollow carbon fiber having graphene sheets and having a structure with a bent portion formed of at least three groups. Although, a graphitized carbon fiber with such a structure could have been present in the prior art compositions, it could not be established with any degree of absolute certainty.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kallambella Vijayakumar whose telephone number is 571-272-1324. The examiner can

normally be reached on 8.30-6.00 Mon-Thu, 8.30-5.00 Alt Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Douglas McGinty can be reached on 571-272-1029. The fax phone number for the organization where

this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC)

at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative

or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-

1000.

**KMV** 

July 06, 2006.

Mark Kopec Primary Examiner

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